

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Education: Senate Bills Nos. 3 and 11.

Revenue and Taxation: House Bills Nos. 9, 12, 19, and 23.

The Committee on Revenue and Taxation filed an adverse report on House Bill No. 27.

TENTH DAY

(Continued)

(Wednesday, October 14, 1936.)

The House met at 10:00 o'clock a. m., and was called to order by Mr. Spears.

LEAVE OF ABSENCE GRANTED

(By unanimous consent.)

Mr. Colquitt was granted leave of absence for today, on account of illness, on motion of Mr. Stinson.

RELATIVE TO SENATE BILL
NO. 5

Mr. Davisson of Eastland asked unanimous consent of the House that Senate Bill No. 5 be ordered not printed.

There was objection offered.

Mr. Davisson of Eastland moved that the House Rule relative to the time allotted for the making of routine motions, be suspended, at this time, for the purpose of making the motion that Senate Bill No. 5 be not printed.

Mr. Roane raised a point of order, on further consideration of Senate Bill No. 5, on the ground that only Senate Bills on second and third reading may be considered on Senate Bill Day.

The Chair overruled the point of order.

The motion to suspend the rule was lost by the following vote:

Yeas—62

| | |
|-------------------|-------------------|
| Alsup | Keefe |
| Ash | Lange |
| Bradford | Latham |
| Bridgers | Lemens |
| Broyles | Lotief |
| Calvert | Lucas |
| Canon | Mauritz |
| Celaya | McConnell |
| Collins | McFarland |
| Cowley | Moore |
| Davis | Morris |
| Davison of Fisher | Morse |
| Davisson | Nicholson |
| of Eastland | Palmer |
| Dickison | Payne |
| Dunagan | Quinn |
| England | Reader |
| Fain | Roach of Angelina |
| Farmer | Roark |
| Ford | Rogers |
| Glass | Rutta |
| Hardin | Smith |
| Harris of Archer | Steward |
| Head | Tennyson |
| Hodges | Tillery |
| Hofheinz | Waggoner |
| Huddleston | Walker |
| Hunter | Wells |
| James | Worley |
| Jones of Atascosa | Young |
| Jones of Shelby | Youngblood |
| Jones of Wise | |

Nays—63

| | |
|------------------|------------------|
| Adamson | Hanna |
| Aikin | Harris of Dallas |
| Atchison | Hartzog |
| Bourne | Herzik |
| Bradbury | Hill |
| Burton | Holland |
| Butler of Karnes | Hoskins |
| Cagle | Howard |
| Cooper | Hunt |
| Craddock | Hyder |
| Duvall | Jackson |
| Dwyer | King |
| Fisher | Knetsch |
| Frazer | Lanning |
| Fuchs | Leath |
| Gibson | Lindsey |
| Good | Luker |
| Graves | McCalla |
| Gray | McKee |
| Hankamer | McKinney |

| | |
|----------------|------------------|
| Moffett | Russell |
| Morrison | Scarborough |
| Newton | Sessions |
| Olsen | Settle |
| Patterson | Stinson |
| Petsch | Stovall |
| Pope | Tarwater |
| Reed of Bowie | Venable |
| Reed of Dallas | Westfall |
| Riddle | Wood of Harrison |
| Roach of Hunt | Wood of Montague |
| Roane | |

Absent

| | |
|-------------------|----------------|
| Adkins | Fox |
| Alexander | Greathouse |
| Bergman | Harper |
| Broadfoot | Jefferson |
| Butler of Brazos | Jones of Falls |
| Caldwell | Leonard |
| Colson | Roberts |
| Crossley | Shofner |
| Daniel | Spears |
| Dunlap of Hays | Stanfield |
| Dunlap of Kleberg | |

Absent—Excused

| | |
|----------|----------|
| Colquitt | Thornton |
| Padgett | |

HOUSE BILL NO. 3 ON PASSAGE
TO ENGROSSMENT

The Chair laid before the House, as pending business, on its passage to engrossment,

H. B. No. 3, A bill to be entitled "An Act amending Section 2, Acts 1933, Regular Session of Forty-third Legislature, page 409, Chapter 162, House Bill 154, as amended by Acts of 1933, Forty-third Legislature, First Called Session, page 43, Chapter 12; increasing the tax on oil; allocating the revenue to the Public School Fund, and for the payment of Old Age Pensions; prescribing a savings clause, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Roark, pending.

Mr. Farmer moved that further consideration of House Bill No. 3, be postponed until 2:00 o'clock p. m., today.

Question recurring on the motion by Mr. Farmer, to postpone further consideration of House Bill No. 3, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—91

| | |
|-------------------|-------------------|
| Adamson | Keefe |
| Aikin | King |
| Alsup | Lange |
| Ash | Lanning |
| Bourne | Latham |
| Bradford | Leath |
| Broyles | Lemens |
| Burton | Lindsey |
| Butler of Brazos | Lotief |
| Calvert | Lucas |
| Canon | Luker |
| Collins | Mauritz |
| Cowley | McConnell |
| Craddock | McFarland |
| Crossley | McKee |
| Davison of Fisher | Moffett |
| Davisson | Moore |
| of Eastland | Morris |
| Dunagan | Morrison |
| Dwyer | Morse |
| Fain | Newton |
| Farmer | Nicholson |
| Fisher | Olsen |
| Ford | Payne |
| Fuchs | Quinn |
| Gibson | Reader |
| Glass | Roach of Angelina |
| Good | Roark |
| Gray | Rogers |
| Hankamer | Rutta |
| Hanna | Smith |
| Hardin | Steward |
| Harris of Archer | Stinson |
| Herzik | Tarwater |
| Hodges | Tennyson |
| Hofheinz | Tillery |
| Holland | Venable |
| Huddleston | Waggoner |
| Hunt | Walker |
| Hunter | Wells |
| Hyder | Westfall |
| Jackson | Wood of Harrison |
| Jones of Atascosa | Wood of Montague |
| Jones of Falls | Worley |
| Jones of Shelby | Young |
| Jones of Wise | Youngblood |

Nays—28

| | |
|------------------|----------------|
| Atchison | James |
| Bradbury | Knetsch |
| Bridgers | McCalla |
| Butler of Karnes | Palmer |
| Cagle | Patterson |
| Colson | Pope |
| Dickison | Reed of Bowie |
| Fox | Reed of Dallas |
| Frazer | Riddle |
| Graves | Roach of Hunt |
| Harris of Dallas | Roane |
| Hartzog | Russell |
| Hoskins | Scarborough |
| Howard | Sessions |

Absent

| | |
|-------------------|-----------|
| Adkins | Harper |
| Alexander | Head |
| Bergman | Hill |
| Broadfoot | Jefferson |
| Caldwell | Leonard |
| Celaya | McKinney |
| Cooper | Petsch |
| Daniel | Roberts |
| Davis | Settle |
| Dunlap of Hays | Shofner |
| Dunlap of Kleberg | Spears |
| Duvall | Stanfield |
| England | Stovall |
| Greathouse | |

Absent—Excused

| | |
|----------|----------|
| Colquitt | Thornton |
| Padgett | |

HOUSE BILL NO. 37 ON SECOND READING

Mr. Petsch moved that the House take up for consideration, at this time, House Bill No. 37.

The motion prevailed.

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 37, A bill to be entitled "An Act authorizing the issuance of interest-bearing warrants to pay Old Age Assistance benefits, making an appropriation, and declaring an emergency."

The bill was read second time.

Question—Shall House Bill No. 37 pass to engrossment?

RESOLUTION RECOMMITTED

On motion of Mr. Moffett, Senate Concurrent Resolution No. 7, was re-committed to the Committee on Agriculture.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, (by unanimous consent) were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morris, Mr. Steward, Mr. England and Mr. Wood of Harrison:

H. B. No. 46, A bill to be entitled "An Act repealing Chapter 116, Acts of the First Called Session of the Forty-third Legislature, as amended by Chapter 354, Acts of the Regular

Session of the Forty-fourth Legislature, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Keefe:

H. B. No. 47, A bill to be entitled "An Act making an appropriation; directing the State Treasury to withdraw certain funds in the Permanent Old Age Pension Fund to the Texas Old Age Assistance Fund; authorizing the sale of securities held by the Permanent Old Age Pension Fund, and declaring an emergency."

Referred to the Committee on State Affairs.

RECESS

On motion of Mr. Hankamer, the House at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by Mr. Spears.

ADDRESS BY HON. W. F. NORRELL

The Chair announced that Hon. W. F. Norrell, President Pro. Tempore of the State Senate of Arkansas, and Mrs. Norrell, were within the Bar of the House.

Hon. and Mrs. Norrell were escorted to the Speaker's stand by Mr. Ford.

The Chair presented Mr. Ford, who in turn presented Mr. and Mrs. Norrell.

Mr. Norrell then addressed the House briefly.

BILL ORDERED PRINTED IN MIMEOGRAPH FORM

Mr. Keefe moved that the House Rule relative to the making of routine motions, be suspended, at this time, and that House Bill No. 47, be printed in mimeograph form and not otherwise printed.

Question recurring on the motion by Mr. Keefe, yeas and nays were demanded.

The roll of the House was called on the above motion, and the vote announced as follows:

Yeas—79

| | |
|-------------------|------------------|
| Adkins | Keefe |
| Aikin | King |
| Ash | Knetsch |
| Bourne | Lange |
| Bradbury | Lanning |
| Bradford | Latham |
| Bridgers | Leath |
| Broyles | Lindsey |
| Burton | Lucas |
| Cagle | Luker |
| Calvert | Mauritz |
| Canon | McConnell |
| Cowley | Morris |
| Crossley | Morrison |
| Davis | Newton |
| Davison of Fisher | Nicholson |
| Davisson | Olsen |
| of Eastland | Payne |
| Dickison | Petsch |
| England | Quinn |
| Fain | Reader |
| Farmer | Reed of Bowie |
| Fisher | Roark |
| Fox | Rogers |
| Glass | Rutta |
| Graves | Settle |
| Gray | Smith |
| Greathouse | Stinson |
| Hanna | Stovall |
| Hardin | Tarwater |
| Harris of Archer | Tillery |
| Head | Waggoner |
| Herzik | Walker |
| Hodges | Wells |
| Huddleston | Westfall |
| Hunter | Wood of Harrison |
| Hyder | Wood of Montague |
| Jones of Falls | Worley |
| Jones of Shelby | Young |
| Jones of Wise | Youngblood |

Nays—10

| | |
|----------|-------------------|
| Adamson | Dunlap of Kleberg |
| Atchison | Harris of Dallas |
| Collins | McCalla |
| Craddock | Moffett |
| Dunagan | Sessions |

Present—Not Voting

Reed of Dallas

Absent

| | |
|------------------|----------------|
| Alexander | Cooper |
| Alsup | Daniel |
| Bergman | Dunlap of Hays |
| Broadfoot | Duvall |
| Butler of Brazos | Dwyer |
| Butler of Karnes | Ford |
| Caldwell | Frazer |
| Celaya | Fuchs |
| Colson | Gibson |

| | |
|-----------|-------------------|
| Good | Morse |
| Hankamer | Palmer |
| Harper | Patterson |
| Hartzog | Pope |
| Hill | Riddle |
| Hofheinz | Roach of Angelina |
| Holland | Roach of Hunt |
| Hoskins | Roane |
| Howard | Roberts |
| Hunt | Russell |
| James | Scarborough |
| Jefferson | Shofner |
| Lemens | Spears |
| Leonard | Stanfield |
| Lotief | Steward |
| McFarland | Tennyson |
| McKinney | Venable |
| Moore | |

Absent—Excused

| | |
|-------------------|----------|
| Colquitt | McKee |
| Jackson | Padgett |
| Jones of Atascosa | Thornton |

Mr. Harris of Dallas raised a point of order, that there was not a quorum present.

The Chair sustained the point of order.

Mr. Reader moved a call of the House for the purpose of securing and maintaining a quorum until 5:00 o'clock p. m., today, and the call was duly ordered.

Mr. Farmer moved that the Sergeant-at-Arms be instructed to bring in all absent Members within the city who are not ill.

The motion prevailed.

Mr. England moved to reconsider the vote by which the call of the House was ordered.

Mr. Reed of Bowie moved to table the motion to reconsider.

The motion to table prevailed.

The roll of the House was called and the following Members were present:

| | |
|-----------|-------------------|
| Adamson | Butler of Brazos |
| Adkins | Cagle |
| Aikin | Calvert |
| Alexander | Collins |
| Alsup | Cowley |
| Ash | Craddock |
| Atchison | Crossley |
| Bourne | Daniel |
| Bradbury | Davis |
| Bradford | Davison of Fisher |
| Bridgers | Davisson |
| Broyles | of Eastland |
| Burton | Dickison |

| | |
|-------------------|------------------|
| Dunagan | McConnell |
| Dunlap of Kleberg | McKinney |
| England | Moffett |
| Fain | Moore |
| Farmer | Morrison |
| Fisher | Newton |
| Fox | Nicholson |
| Fuchs | Olsen |
| Glass | Patterson |
| Good | Payne |
| Graves | Petsch |
| Gray | Pope |
| Greathouse | Quinn |
| Hankamer | Reader |
| Hanna | Reed of Bowie |
| Hardin | Reed of Dallas |
| Harris of Archer | Roach of Hunt |
| Harris of Dallas | Roane |
| Herzik | Roark |
| Hodges | Rogers |
| Howard | Rutta |
| Huddleston | Sessions |
| Hunt | Settle |
| Hunter | Smith |
| Hyder | Spears |
| Jones of Falls | Stinson |
| Jones of Shelby | Stovall |
| Jones of Wise | Tarwater |
| King | Tennyson |
| Knetsch | Tillery |
| Lange | Waggoner |
| Lanning | Walker |
| Latham | Westfall |
| Leath | Wood of Harrison |
| Leonard | Wood of Montague |
| Lindsey | Worley |
| Lucas | Young |
| Luker | Youngblood |
| Mauritz | |

Absent

| | |
|------------------|-------------------|
| Bergman | Jefferson |
| Broadfoot | Keefe |
| Butler of Karnes | Lemens |
| Caldwell | Lotief |
| Canon | McCalla |
| Celaya | McFarland |
| Colson | Morris |
| Cooper | Morse |
| Dunlap of Hays | Padgett |
| Duvall | Palmer |
| Dwyer | Riddle |
| Ford | Roach of Angelina |
| Frazer | Roberts |
| Gibson | Russell |
| Harper | Scarborough |
| Hartzog | Shofner |
| Hill | Stanfield |
| Hofheinz | Steward |
| Holland | Venable |
| Hoskins | Wells |
| James | |

Absent—Excused

| | |
|----------|------|
| Colquitt | Head |
|----------|------|

| | |
|-------------------|----------|
| Jackson | McKee |
| Jones of Atascosa | Thornton |

A quorum was announced present.

Question again recurring on the motion by Mr. Keefe, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—91

| | |
|-------------------|-------------------|
| Adkins | Jones of Wise |
| Aikin | Keefe |
| Alexander | King |
| Alsup | Knetsch |
| Ash | Lange |
| Bourne | Lanning |
| Bradbury | Latham |
| Bradford | Lindsey |
| Bridgers | Lucas |
| Broyles | Luker |
| Burton | Mauritz |
| Cagle | McConnell |
| Calvert | McKinney |
| Canon | Moffett |
| Collins | Moore |
| Cowley | Morris |
| Craddock | Morrison |
| Crossley | Newton |
| Daniel | Nicholson |
| Davis | Olsen |
| Davison of Fisher | Palmer |
| Davisson | Patterson |
| of Eastland | Payne |
| Dickison | Petsch |
| England | Quinn |
| Fain | Reader |
| Farmer | Reed of Bowie |
| Fisher | Roach of Angelina |
| Fox | Roark |
| Glass | Rogers |
| Good | Rutta |
| Graves | Smith |
| Gray | Spears |
| Greathouse | Stovall |
| Hanna | Tarwater |
| Hardin | Tennyson |
| Harris of Archer | Tillery |
| Hartzog | Waggoner |
| Head | Walker |
| Hodges | Wells |
| Huddleston | Westfall |
| Hunt | Wood of Harrison |
| Hunter | Wood of Montague |
| Hyder | Worley |
| Jones of Falls | Young |
| Jones of Shelby | Youngblood |

Nays—9

| | |
|------------------|----------------|
| Adamson | Leonard |
| Atchison | Reed of Dallas |
| Dunagan | Roane |
| Dunlap of Hays | Sessions |
| Harris of Dallas | |

| Absent | | | |
|--|------------------|-------------------|-------------------|
| Bergman | Howard | Lanning | Reader |
| Broadfoot | James | Latham | Reed of Bowie |
| Butler of Brazos | Jefferson | Leath | Roark |
| Butler of Karnes | Leath | Lucas | Rogers |
| Caldwell | Lemens | Luker | Rutta |
| Celaya | Lotief | Mauritz | Settle |
| Colson | McCalla | McConnell | Smith |
| Cooper | McFarland | McFarland | Tennyson |
| Dunlap of Kleberg | Morse | Moffett | Tillery |
| Duvall | Pope | Moore | Waggoner |
| Dwyer | Riddle | Morris | Walker |
| Ford | Roach of Hunt | Nicholson | Wells |
| Frazer | Roberts | Palmer | Worley |
| Fuchs | Russell | Payne | Young |
| Gibson | Scarborough | Petsch | Youngblood |
| Hankamer | Settle | Quinn | |
| Harper | Shofner | | Nays—39 |
| Herzik | Stanfield | Adamson | Hodges |
| Hill | Steward | Aikin | Hunt |
| Hofheinz | Stinson | Alexander | Knetsch |
| Holland | Venable | Atchison | Leonard |
| Hoskins | | Bourne | Lindsey |
| | | Bradbury | Morrison |
| | | Broyles | Newton |
| | | Burton | Olsen |
| | | Canon | Patterson |
| | | Collins | Reed of Dallas |
| | | Craddock | Roach of Angelina |
| | | Crossley | Roane |
| | | Dunagan | Sessions |
| | | Dunlap of Hays | Steward |
| | | Fox | Stovall |
| | | Gibson | Tarwater |
| | | Good | Westfall |
| | | Gray | Wood of Harrison |
| | | Hanna | Wood of Montague |
| | | Harris of Dallas | |
| Absent—Excused | | Absent | |
| Colquitt | McKee | Bergman | Howard |
| Jackson | Padgett | Bradford | James |
| Jones of Atascosa | Thornton | Broadfoot | Jefferson |
| | | Butler of Karnes | King |
| | | Caldwell | Lemens |
| | | Celaya | Lotief |
| | | Colson | McCalla |
| | | Cooper | McKinney |
| | | Dunlap of Kleberg | Morse |
| | | Duvall | Pope |
| | | Dwyer | Riddle |
| | | Ford | Roach of Hunt |
| | | Frazer | Roberts |
| | | Fuchs | Russell |
| | | Hankamer | Scarborough |
| | | Harper | Shofner |
| | | Herzik | Spears |
| | | Hill | Stanfield |
| | | Holland | Stinson |
| | | Hoskins | Venable |
| RELATIVE TO SENATE BILL NO. 5 | | Absent—Excused | |
| Mr. Davisson of Eastland moved that the House Rule relative to the making of routine motions, be suspended, at this time, and that Senate Bill No. 5, be printed in mimeograph form and not otherwise printed. | | Colquitt | McKee |
| Question recurring on the motion by Mr. Davisson of Eastland, yeas and nays were demanded. | | Jackson | Padgett |
| The motion was lost by the following vote (not receiving the necessary two-thirds vote): | | Jones of Atascosa | Thornton |
| Yeas—64 | | | |
| Adkins | Fisher | | |
| Alsup | Glass | | |
| Ash | Graves | | |
| Bridgers | Greathouse | | |
| Butler of Brazos | Hardin | | |
| Cagle | Harris of Archer | | |
| Calvert | Hartzog | | |
| Cowley | Head | | |
| Daniel | Hofheinz | | |
| Davis | Huddleston | | |
| Davison of Fisher | Hunter | | |
| Davisson | Hyder | | |
| of Eastland | Jones of Falls | | |
| Dickison | Jones of Shelby | | |
| England | Jones of Wise | | |
| Fain | Keefe | | |
| Farmer | Lange | | |

MESSAGE FROM THE SENATE

Austin, Texas, October 14, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 8, A bill to be entitled "An Act empowering and directing the State Treasurer to sell and liquidate any and all bonds or interest bearing obligations of the United States or obligations guaranteed as to both principal and interest by the United States now on deposit in the Permanent Old Age Pension Fund, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 37 ON PASSAGE
TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 37, relative to the issuance of interest-bearing warrants to pay Old Age Assistance benefits.

The bill having been read second time on this morning.

Mr. Farmer raised a point of order, on further consideration of House Bill No. 37, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Chair overruled the point of order.

Mr. Graves offered the following amendment to the bill:

Amend the bill by striking out all below the enacting clause and substitute therefor the following:

"Section 1. The Texas Old Age Assistance Commission is hereby authorized to pay interest on warrants issued against the Texas Old Age Assistance Fund out of the twenty-five million dollar appropriation heretofore made from the Old Age Assistance Fund for the payment of Old Age Assistance benefits, so long as said warrants remain unpaid, when the cash balance of the moneys deposited to the credit of said fund by the State of Texas is insufficient to pay in cash the State's part of the pension requirements for any month, and there is hereby appropriated out of the moneys heretofore appropriated

to the Texas Old Age Assistance Fund a sufficient amount to pay interest charges accruing under this Act, but in the event that interest is paid on or on account of such warrants as authorized in this Act, no such warrant, issued for a single month, including both principal and the interest paid thereon or therefor, shall ever exceed \$15.00 of State money.

"Sec. 2. The form and method of issuing such warrants and of paying the interest thereon as herein authorized shall be prescribed by the Texas Old Age Assistance Commission. The Comptroller and the Treasurer are authorized and directed to perform such duties as are required of them under authority of this Act to accomplish its purpose.

"Sec. 3. Before the issuance of any such warrants, the State Banking Board shall, upon application by the Old Age Assistance Commission, determine the rate of interest which shall be paid on account of such warrants as authorized herein, such interest rate never to exceed five per centum per annum.

"Sec. 4. The authority conferred by this Act to pay said interest shall not be limited by the provisions of Section 6 of Chapter 472, Acts of the Second Called Session of the 44th Legislature.

"Sec. 6. This law shall be cumulative of all other laws on the subject, but in event any provision of this Act shall be in conflict with the provisions of any other law, the provisions of this Act shall have precedence and shall be fully effective.

"Sec. 7. The fact that there are now accruing Old Age Assistance benefits in amounts greater than the present monthly income to the Texas Old Age Assistance Fund, the fact that any tax bills passed by the present Called Session of the Legislature will likely not bring in any revenues for several months, and the fact that it would be unfair to require the recipients of Old Age Assistance benefits to discount their warrants or carry the interest burden of the deficit, create an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three separate days in each House be suspended, and the same is hereby suspended and that this Act take effect and be in force

from and after its passage, and it is so enacted."

Mr. Pope raised a point of order, on further consideration of the amendment, on the ground that the subject matter contained in the amendment has not been submitted by the Governor.

The Chair overruled the point of order.

Mr. Leonard raised a point of order, on further consideration of House Bill No. 37, on the ground that the bill seeks to amend by reference only House Bill No. 26, as passed by Second Called Session of the Forty-fourth Legislature.

The Chair overruled the point of order.

Mr. Leonard raised the further point of order, on consideration of House Bill No. 37, on the ground that the bill violates Section 50, Article III of the Constitution, which Section prohibits the pledging of the credit of the State.

The Chair overruled the point of order.

Mr. Pope raised a point of order, on further consideration of House Bill No. 37, on the ground that the bill violates the following constitutional provisions:

"Article III. Sec. 48. Power to Levy Taxes Limited.—The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government, in which may be included the following purposes: etc.

Sec. 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public moneys to any individual, association of individuals, municipal or other corporations whatsoever.

Sec. 44. Compensation of Officers: Payment of Claims.—The Legislature shall provide by law for the compensation of all officers, servants, agents and public contractors, not provided for in this Constitution, but shall not grant extra compensation to any officer, agent, servant, or public contractors, after such public service shall have been performed or contract entered into, for the performance of the same; nor grant, by appropriation or otherwise, any amount

of money out of the Treasury of the State, to any individual, on a claim, real or pretended, when the same shall not have been provided for by pre-existing law; nor employ anyone in the name of the State, unless authorized by pre-existing law.

Article VIII. Section 6. Appropriations; How Made and for What Period.—No money shall be drawn from the Treasury, but in pursuance of specific appropriations made by law; etc.

Article XVI. Section 6. Appropriations for Private Purposes Prohibited; Expenditures to Be Published.—No appropriation for private or individual purposes shall be made, etc."

BILL OF RIGHTS

"Article I. Section 3. All Free Men Have Equal Rights.—All free men, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services.

Article III. Sec. 49. Purpose for Which Debts May Be Created.—No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or pay existing debt; and the debt created to supply deficiencies in the revenue, shall never exceed in the aggregate at any one time two hundred thousand dollars.

Sec. 50. Credit of State Not to Be Pledged.—The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State in aid of, or to any person, association or corporation, whether municipal or other, or to pledge the credit of the State in any manner whatsoever, for the payment of the liabilities, present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever.

Article XVI. Sec. 7. No Paper to Circulate as Money.—The Legislature shall, in no case, have power to issue "Treasury Warrants," "Treasury Notes," or paper of any description intended to circulate as money."

The Chair overruled the point of order.

Question then recurring on the pending amendment by Mr. Graves to House Bill No. 37, it was adopted.

Mr. Bradbury offered the following amendment to the bill:

Amend House Bill No. 37 by striking out the figures "five per cent", and insert the figures "three and one-half per cent", on line 31, page 1.

BRADBURY,
QUINN,
ALEXANDER,
HARRIS of Archer.

The amendment was adopted.

Mr. Reader moved the previous question on the passage of House Bill No. 37 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

MOTION TO TAKE UP CERTAIN RESOLUTION

Mr. Worley asked unanimous consent of the House to take up for consideration, at this time, resolution in regard to open hearings of certain committee heretofore appointed.

Mr. Harris of Dallas raised a point of order, on consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Worley moved that the House Rule relative to the time allotted for the consideration of resolutions be suspended, at this time, for the purpose of considering the resolution.

The motion was lost.

Mr. Davison of Fisher moved that the House adjourn until 4:27 o'clock p. m., Wednesday, October 14.

Question recurring on the motion by Mr. Davison of Fisher, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—31

| | |
|-------------------|------------|
| Adkins | Fain |
| Bradbury | Ford |
| Cagle | Fox |
| Daniel | Fuchs |
| Davison of Fisher | Glass |
| Davison | Gray |
| of Eastland | Hofheinz |
| Dickison | Huddleston |
| England | Jefferson |

Jones of Falls
Jones of Wise
Keefe
Lucas
Morris
Palmer
Patterson

Roach of Hunt
Roark
Rogers
Rutta
Smith
Stovall
Worley

Nays—97

Adamson
Aikin
Alexander
Alsup
Ash
Atchison
Bourne
Bridgers
Broyles
Burton
Butler of Brazos
Butler of Karnes
Caldwell
Calvert
Canon
Celaya
Colson
Cooper
Cowley
Craddock
Crossley
Davis
Dunagan
Dunlap of Hays
Dunlap of Kleberg
Duvall
Dwyer
Farmer
Fisher
Frazer
Gibson
Good
Graves
Greathouse
Hankamer
Hanna
Hardin
Harris of Archer
Harris of Dallas
Hartzog
Herzik
Hill
Hodges
Hoskins
Howard
Hunt
Hunter
Hyder
James

Jones of Shelby
King
Knetsch
Lange
Lanning
Latham
Leath
Lemens
Leonard
Lindsey
Luker
Mauritz
McCalla
McConnell
McFarland
McKinney
Moffett
Moore
Morrison
Morse
Newton
Nicholson
Olsen
Petsch
Pope
Quinn
Reader
Reed of Bowie
Reed of Dallas
Riddle
Roach of Angelina
Roane
Roberts
Russell
Sessions
Settle
Steward
Stinson
Tarwater
Tillery
Waggoner
Walker
Wells
Westfall
Wood of Harrison
Wood of Montague
Young
Youngblood

Absent

| | |
|-----------|---------|
| Bergman | Harper |
| Bradford | Holland |
| Broadfoot | Lotief |
| Collins | Payne |

Scarborough Stanfield
Shofner Tennyson
Spears Venable

Absent—Excused

Colquitt McKee
Head Padgett
Jackson Thornton
Jones of Atascosa

Mr. Dunlap of Hays moved that the House recess to 10:00 o'clock a. m., tomorrow.

Mr. Hofheinz moved that the House recess to 4:35 o'clock p. m., today.

Question first recurring on the motion by Mr. Hofheinz, it was lost.

Mr. Hofheinz moved that the House adjourn until 10:00 o'clock a. m., Thursday, October 15.

Mr. Petsch raised a point of order, on the motion by Mr. Hofheinz to adjourn until Thursday, October 15, on the ground that the House has not transacted any business since a motion to adjourn was lost.

The Chair sustained the point of order.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 8, to the Committee on State Affairs.

LEAVES OF ABSENCE GRANTED

(By unanimous consent.)

Mr. Jones of Atascosa was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Davis.

Mr. Head was granted temporary leave of absence for today, on account of illness, on motion of Mr. Wells.

Mr. McKee was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Knetsch.

Mr. Thornton was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Jones of Wise.

RECESS

On motion of Mr. Dunlap of Hays, the House at 4:50 o'clock p. m., took

recess to 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Counties: House Bill No. 41.

Labor: Senate Bill No. 5.

State Affairs: House Bill No. 47, and Senate Bill No. 8.

TENTH DAY

(Continued)

(Thursday, October 15, 1936.)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Stevenson.

LEAVE OF ABSENCE GRANTED

(By unanimous consent.)

Mr. Jackson was granted leave of absence for yesterday afternoon and today, on account of illness, on motion of Mr. Hankamer.

HOUSE BILL NO. 37 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 37, A bill to be entitled "An Act authorizing the issuance of interest-bearing warrants to pay Old Age Assistance benefits, making an appropriation, and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Good offered the following amendment to the bill:

Amend House Bill No. 37 by adding a new Section between Sections 3 and 4 to be known as Section 3A:

"Sec. 3A. Provided, however that the power hereby granted The Texas Old Age Assistance Commission to issue interest-bearing warrants against the Texas Old Age Assistance Fund is expressly limited to the sum of Three Million Dollars, and until March 1, 1937."

The amendment was adopted.